

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

CASSIE M., et al.

v.

LINCOLN D. CHAFEE, et al.

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C.A. No. 07-241ML

MEMORANDUM AND ORDER

Pending before the Court for determination (28 U.S.C. § 636(b)(1)(A)) are Plaintiffs' First and Third Motions to Compel. (Document Nos. 166 and 193). Since these Motions were filed, the Court has entered two Protective Orders regarding the scope of discovery (Document Nos. 230 and 247) and issued a Discovery Management Order requiring the parties to confer in good faith in an effort to resolve or narrow the disputes presented in these and several other pending discovery Motions. (Document No. 253). Pursuant to the Discovery Management Order, the parties filed status reports on February 1, 2013 which reported progress in resolving these two Motions. Plaintiffs report that they have "withdrawn in large part their outstanding motions to compel" and that a "number of document requests are waiting for Defendants to provide further information." (Document No. 268 at p. 1). Defendants confirm in their report that counsel "were able to reach an understanding on many of the discovery areas and narrow the areas in dispute" as to these Motions. (Document No. 267 at pp. 2-3). Defendants also report that they intend to produce additional information to Plaintiffs that could further limit or narrow the disputed areas. Id.

In view of these developments, the briefs and exhibits originally filed by both sides regarding these Motions are largely irrelevant to the present state of the dispute and thus are effectively obsolete. Accordingly, Plaintiffs' First and Third Motions to Compel (Document Nos. 166 and 193)

are DENIED without prejudice to renewal as to those discovery requests not withdrawn or resolved,
and after conferring with Defendants as required by Fed. R. Civ. P. 37(a)(1).

SO ORDERED

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
March 1, 2013